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AD HOC GROUP ON THE BERLIN MANDATE

REPORT OF THE AD HOC GROUP ON THE BERLIN MANDATE ON THE WORK OF THE SECOND PART OF ITS EIGHTH SESSION, KYOTO, 30 NOVEMBER 1997

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I. INTRODUCTION

1 The second part of the eighth session of the Ad Hoc Group on the Berlin Mandate (AGBM) was held at the Kyoto International Conference Hall, Kyoto, on 30 November 1997. The session was resumed pursuant to the decision of the AGBM at the 6th meeting of its eighth session, on 31 October 1997, to suspend the eighth session and reconvene in Kyoto (see document FCCC/AGBM/1997/8, paragraph 11).

2 The Chairman of the AGBM, Ambassador Raul Estrada-Oyuela (Argentina), opened the resumed session by welcoming delegates and recalling that the purpose of the final meeting of the AGBM was to resolve issues left outstanding at the suspension of the eighth session.

3 The following items on the agenda of the eighth session remained open for consideration and action at the resumed session:

(a) Completion of a protocol or another legal instrument (agenda item 3);

(b) Report to the third session of the Conference of the Parties and related matters (agenda item 4); and

(c) Report on the session (agenda item 5).

4 The Chairman introduced the documents that had been prepared since the suspension of the eighth session. He explained that on his own initiative he had prepared a document entitled "Measures taken by non-Annex I Parties to reduce the growth of their emissions" (FCCC/AGBM/1997/CRP.5) to highlight the actions of developing countries, in response to claims that such Parties were taking insufficient steps to mitigate climate change. A second paper, a technical review of the revised text under negotiation (FCCC/CP/1997/CRP.1), had been prepared to identify potential problems with consistency and feasibility in the protocol as drafted, without prejudice to the final outcome of negotiations. In a third document, he had discharged the undertaking he had made at the 6th meeting of the eighth session (see document FCCC/AGBM/1997/8, paragraph 20), and redrafted the revised text under negotiation in the form of an amendment (FCCC/CP/1997/2/Add.1). That draft amendment text was substantively the same as the revised text under negotiation, with some minor modifications to accommodate the different nature of the legal instrument. Those three documents were presented for the information of Parties, and were not intended for discussion. They and other documents prepared since the suspension of the session, are listed in the annex below.

II. COMPLETION OF A PROTOCOL OR ANOTHER LEGAL INSTRUMENT
(Agenda item 3)

5. The Chairman emphasized that negotiations would continue on the basis of the revised text under negotiation (FCCC/CP/1997/2).

6. There was an exchange of views on three issues under negotiation:

(a) Whether to include three or six gases, and on what basis, in the target;

(b) Whether to adopt budget periods for targets, rather than single-year targets;

(c) The approach that might be adopted in the legal instrument to policies and measures.

7. Statements on the above three issues were made by representatives of 16 Parties, including one speaking on behalf of the Group of 77 and China, and three speaking on behalf of the European Community and its member States. It was agreed that there should be further discussion of those issues at the third session of the Conference of the Parties.

8. The Chairman noted that a fourth issue under negotiation, the treatment of sinks, had been the subject of intersessional work. He invited Mr. Antonio La Viña (Philippines), who had been requested to chair an informal consultation on the matter, to report on the outcome of the consultations.

9. Mr. La Viña noted that, in response to his questionnaire circulated at the sixth meeting (see document FCCC/AGBM/1997/8, paragraph 19), a number of Parties had submitted proposals (see documents FCCC/AGBM/1997/MISC.4 and Add.1-2). A compilation of those proposals had been prepared by the secretariat (see document FCCC/AGBM/1997/INF.2). It had been announced that an open-ended group of interested Parties would meet immediately before the resumption of the AGBM (see document FCCC/AGBM/1997/8, paragraph 19). Mr. La Viña reported that at that meeting there had been a restatement of existing positions, although it was clear that certain perspectives were held in common. Sinks, all Parties present had agreed, were important and should be included in commitments, subject to concerns about definitions, timing and scope. The group had discussed four options for action, which he anticipated could be developed as the basis for agreement. Finally, he noted that agreement on the treatment of sinks affected a number of sections of the revised text under negotiation, and hence was a matter which had to be concluded quickly to facilitate the finalization of the legal instrument.

10. Statements on the fourth issue raised by the Chairman were made by representatives of two Parties.

11. The Chairman of the AGBM noted that, without prejudice to any decision of the Committee of the Whole at the third session of the Conference of the Parties on the organization of work relating to the treatment of sinks, he would ask Mr. La Viña to continue his discussions informally.

12. The Chairman raised the issue of the name of the instrument to be adopted by the third session of the Conference of the Parties. Statements were made by representatives of four Parties, including one speaking on behalf of the Group of 77 and China. It was agreed that there should be further discussion of that issue at the third session of the Conference of the Parties.

III. REPORT TO THE THIRD SESSION OF THE CONFERENCE OF THE PARTIES AND RELATED MATTERS

(Agenda item 4)

13. The Chairman noted that the second part of the eighth session of the AGBM had not resulted in conclusions for incorporation in his report to the third session of the Conference of the Parties.

IV. REPORT ON THE SESSION

(Agenda item 5)

14. The Chairman observed that, as the Group had only met once at its resumed eighth session, no draft report had been prepared. The Group requested the Rapporteur, under the guidance of the Chairman and with the assistance of the secretariat, to finalize the report of the second part of the eighth session.

Annex

LIST OF DOCUMENTS BEFORE THE AD HOC GROUP ON THE BERLIN MANDATE AT THE SECOND PART OF ITS EIGHTH SESSION

FCCC/AGBM/1997/8	Report of the Ad Hoc Group on the Berlin Mandate on the work of the first part of its eighth session
FCCC/AGBM/1997/MISC.3 Add.1-3	Information submitted by Parties on possible criteria for differentiation
FCCC/AGBM/1997/MISC.4 and Add.1 and 2	Responses from Parties on issues related to sinks
FCCC/AGBM/1997/INF.2	Compilation of responses from Parties on issues related to sinks
FCCC/AGBM/1997/CRP.5	Measures taken by non-Annex I Parties to reduce the growth of their emissions
FCCC/CP/1997/2	Revised text under negotiation
FCCC/CP/1997/2/Add.1	Revised text under negotiation - addendum
FCCC/CP/1997/CRP.1	Technical review of the revised text under negotiation

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